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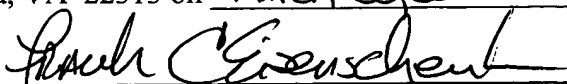
Alexandria, VA 22313 on March 30, 2006

Examining Group,

Patent Application

Docket No. UTR-106XC1

Serial No. 10/541,048



Frank C. Eisenschenk, Ph.D., Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kimberly D. Gwinn, James Green, Susan Hamilton  
Serial No. : 10/541,048  
Filed : June 29, 2005  
For : Use of Herbs as a Delivery System for Bioactive Phytochemicals

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P.O. Box 1450

Alexandria, VA 22313

TRANSMITTAL LETTER

Sir:

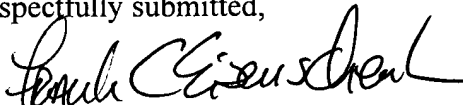
The above-identified patent application was filed with an unsigned Declaration (37 CFR 1.63) and Power of Attorney form. Transmitted herewith is a fully executed Declaration (37 CFR 1.63) and Power of Attorney form for the subject application. A Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US) was received from the Patent and Trademark Office, and a copy of that Notice is attached hereto.

Please charge the surcharge of \$65.00 to Deposit Account No. 19-0065. The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. 19-0065. Two copies of this transmittal letter are enclosed.

04/07/2006 HKAYPAGH 00000151 190065 10541048

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Respectfully submitted,



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FCE/sl

Attachments: executed Declaration and Power of Attorney; copy of Notification of Missing Requirements.

J:\UTR\106XC\INTFMP.Res.doc\DNB/sl



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/541,048	FIRST NAMED APPLICANT Kimberly D Gwinn	ATTY. DOCKET NO. UTR-106XC1
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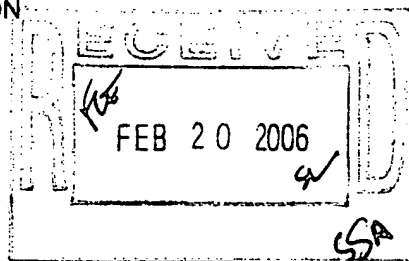
INTERNATIONAL APPLICATION NO. PCT/US03/22272	
I.A. FILING DATE 07/15/2003	PRIORITY DATE 01/03/2003

CONFIRMATION NO. 6089  
 371 FORMALITIES LETTER



\*OC000000018010832\*

Date Mailed: 02/14/2006



### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/29/2005
- Copy of the International Search Report filed on 06/29/2005
- Preliminary Amendments filed on 06/29/2005
- Oath or Declaration filed on 06/29/2005
- Small Entity Statement filed on 06/29/2005
- Request for Immediate Examination filed on 06/29/2005
- U.S. Basic National Fees filed on 06/29/2005
- Priority Documents filed on 06/29/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,048	PCT/US03/22272	UTR-106XC1